

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

No.: CR 10-02602-BB

LUCAS PAEZ, RORY WOLF and  
JESUS GUTIERREZ,  
Defendants.

**DEFENDANT PAEZ' MOTION FOR RECONSIDERATION OF ORDER  
REVOKING SUPERVISED RELEASE [DOC. 38]**

COMES NOW, DEFENDANT LUCAS PAEZ, and moves the court to reconsider its previously entered order of December 1, 2010, revoking Defendant's pre-trial release, and for entry of an order setting conditions of pre-trial release, upon the following basis:

1. On August 19, 2010, Defendant was granted pre trial release [doc.10]
2. On November 29, 2010, a Petition for Action on Conditions of Release as to Lucas Paez was filed by the US Probation Office. [doc. 36]
3. Thereafter on December 1, 2010, after a hearing wherein Defendant admitted to violation of the conditions of pre trial release, an order revoking pre trial conditions of release was entered. [doc. 38]
4. Defendant now contends that the order revoking conditions of pre-trial release was improperly issued, as the Defendant, while admitting the violation, was not afforded the opportunity to adequately explain the extenuating circumstances that led to his violation, and, had he done so, might have offered the court the opportunity to consider giving the Defendant another chance to perform successfully on pre-trial release.

5. Accordingly, Defendant prays the court reconsider its previously entered order revoking his conditions of supervised release, and enter an order setting new conditions of supervised release according to terms which would assure Defendant's presence at future court hearings while not posing a risk to the community.

Respectfully submitted,

/s/ David L. Plotsky  
David Plotsky  
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I HEREBY CERTIFY THAT on the 3rd day of May, 2011, I filed the foregoing electronically through the CM/ECF system, which caused AUSA Joel Meyers, and Henry Edward De La Garza and B.J. Crow to be served by Electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ David L. Plotsky  
David L. Plotsky